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BY ECF

Hon. Ronald L. Ellis
United States District Court
500 Pearl Street, Suite 1970
New York, NY 10007-1312

Re: Pinks, et al. v. M&T Bank - 13 Civ. 1730 (LAK)(RLE)

Dear Magistrate Judge Ellis:

Two of the Exhibits to the Joint Letter filed yesterday (DI 121) are designated "Confidential," and we have agreed to file them under seal.

Accordingly, pursuant to Southern District Electronic Case Filing Rules and Instructions, § 6.2, we hereby move for leave to file Exhibits 3 and 5 to DI 119 under seal. Defense counsel are aware of and do not oppose this application.

Respectfully,

s//Daniel V. Gsovski

Daniel V. Gsovski

cc: All counsel (by ECF)